

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57722 of 2018

Arising Out of PS. Case No.-183 Year-2016 Thana- PUPRI District- Sitamarhi

Md. Yasir Jafi @ Md. Yasin, Son of Md. Jafir , resident of Vill.- Belmohan
P.S.- Pupri, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-09-2018 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the opposite party No. 2.

A supplementary affidavit has been filed on behalf of the
petitioner which is taken on record.

The petitioner is apprehending his arrest in a case registered
under Sections 341, 324, 307, 379 and 498A of the Indian Penal
Code and ¾ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture
and assault upon the victim due to non-fulfilment of demand of
dowry.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
has falsely been implicated in the present case due to petty family
dispute. The nature of injury is said to simple. Hence no offence



under Section 307IPC is made out. Rest of the offences are triable by the Magistrate. The petitioner has relied upon the judgment of this Court in the case of *Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.*

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Pupri, Sitamarhi in connection with Pupri P.S. Case No. 183/16, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

(Sudhir Singh, J)

Pankaj/-

U		T	
---	--	---	--

